

Office Memorandum • UNITED STATES GOVERNMENT

TO : S/P - Mr. Schwartz
 FROM : CON:VD - H.J.L'Heureux
 SUBJECT:

DATE: January 3, 1950

I refer to your memorandum of December 29, 1949 with attached copy of a communication addressed by Mr. Kennan to Mr. Cross at Montreal regarding the prospective applications for immigration visas of Dr. and Mrs. Gustav Hilger.

The circumstances related in Mr. Kennan's letter have been carefully reviewed. However, there is no authority vested in any officer of the executive branch of the government to grant exceptional treatment in a case of this kind.

The Immigration Act of 1924 as amended, provides that quota nationality shall be determined by country of birth with the following exceptions: (1) a minor child accompanying his alien parent takes the quota nationality of his accompanying parent; (2) a wife who is of a different quota nationality from her alien husband may under certain circumstances take the nationality of her accompanying husband. As Dr. and Mrs. Hilger were born in the Soviet Union they must be charged as applicants for quota immigration visas to the quota of the Soviet Union.

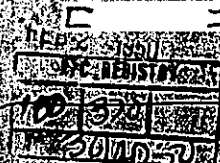
The available information indicates that these people do not come within any of the categories of immigrants entitled to statutory preference status which are enumerated in subdivision five of the attached mimeographed sheet. Consequently, after their registration as intending immigrants at an American Consulate, they will have to wait until nonpreference numbers become available for issuance to them in the order of their registration priority. Only certain categories of nonimmigrants in the United States may register while they are still in this country, none of which appear to be applicable to the cases of Dr. and Mrs. Hilger. There is attached a second mimeographed sheet which deals with this particular question. In view of the heavily oversubscribed condition of the Soviet quota, nonpreference applicants now registering will experience an indefinite waiting period.

POLICY PLANNING
STAFF

JAN 5 1950

Department of State

It is



NAZI WAR CRIMES DISCLOSURE ACT

FOR COORDINATION WITH

EXEMPTIONS Section 3(b)

(2)(A) Privacy ☐(2)(B) Methods/Sources ☒(2)(C) Foreign Relations ☐Declassified and Approved for Release
by the Central Intelligence Agency

Date: 2005

It is regretted that the prospects of immigration visas for Dr. and Mrs. Hilger are not more encouraging, but it is a matter in which no one has any discretion.

Attachments:

1. From Mr. Kennan.
2. VD-General leaflet.
3. Aliens in U.S. leaflet.

81M-111 Hilger, Gustav
CON:VD:EHocht:rph 1/3/60